

05.21.01

CPA/1627 \$



# CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing  
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:



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## "EXPRESS MAIL" MAILING LABEL

Number: EL758643440US Date of Deposit: May 16, 2001

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.106, the date indicated above and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on May 16, 2001  
Typed or Printed Name: VINCENT DIAZ Signed: Vincent M. Diaz

Address  
to:

Assistant Commissioner for  
Patents  
Box CPA  
Washington, DC 20231

Attorney Docket No.

A-63915/RMS/AMS

First Named Inventor

NOLAN

Examiner Name

T. Wessendorf

Group/Art Unit

1627

Express Mail Label No.

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This is a request for ☐ continuation or ☒ divisional application under 37 C.F.R. § 1.53(d),

(continued prosecution application (CPA)) of prior application number 08 / 873,601

filed on 06/12/97, entitled, Combinatorial Enzymatic Complexes

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371.

A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

1. ☐ Enter the unentered amendment previously filed on \_\_\_\_\_ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
  - a. ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:  
 \_\_\_\_\_  
 \_\_\_\_\_

05/23/2001 TSUGGS 00000001 061300 08873601

- b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

01 FC:203 234.00 CH

4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed

5. Information Disclosure Statement (IDS) is enclosed: 05/22/2001 GTEFFERA 00000091 08873601

- a. ☐ PTO-1449

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355.00 OP

- b. ☐ Copies of IDS Citations

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
Total Claims (37 C.F.R. §1.16(c) or (j))		-20 =	0	X \$ 18	\$ 0
Independent Claims (37 C.F.R. §1.16(b) or (i))		-3 =	0	X \$ 80	\$ 0
Multiple dependent claims (if applicable) (37 C.F.R. §1.16(d))				+ \$ 270	\$ 0
				BASIC FEE (37 C.F.R. §1.16)	\$ 710
				TOTAL OF ABOVE CALCULATIONS =	\$ 710
				Reduction by 50% for filing by small entity. (Note 37 C.F.R. §§1.9, 1.27, & 1.28).	\$ 355
				TOTAL =	\$ 355

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 06 - 1300 (Order No. \*)

- a. ☒ Fees required under 37 C.F.R. § 1.16.
- b. ☒ Fees required under 37 C.F.R. § 1.17.
- c. ☐ Fees required under 37 C.F.R. § 1.18

8. ☒ A check in the amount of \$410.00 is enclosed, inclusive of the fee for a 1-Mo Extension of Time (\$55.00)

9. ☒ Other: •Return postcard

10. ☒ Conditional Petition for Extension of Time: An extension of time is requested in the present and/or above-referenced parent application to provide for timely filing if an extension of time is still required after all papers filed with this transmittal have been considered.

**NOTE:**

*The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.*

**10. NEW CORRESPONDENCE ADDRESS**

☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐ New correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

**11. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)

Robin M. Silva, Esq.

Signature

*Robin M. Silva*

Registration No.  
(Attorney/Agent)

38,304

Date

May 16, 2001